THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8165 of 2007

Dated: 05-06-2007

Between:

G.Vasudeva Reddy and another.

..... PETITIONERS

AND

The Mandal Revenue Officer, Pileru, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8165 of 2007

ORDER:

The petitioners are residents of Pileru town. They allege that first respondent assigned house site pattas in respect of land in survey No.129/A admeasuring Ac.0.02 ½ each for construction of houses. They also allege that first petitioner is ex-serviceman and that first respondent after conducting enquiry granted pattas. When Upa Sarpanch of the Gram Panchayat trespassed into the land, they lodged a police complaint, which was registered as Crime No.1394 of 2004. Therefore, Upa Sarpanch prevailed over first respondent and got the same house sites allotted to respondents 2 and 3 without cancelling the original allotment. Complaining this, the petitioners filed instant writ petition, *inter alia,* seeking a direction to first respondent to continue them in possession.

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue (Assignment).

The learned Assistant Government Pleader submits that the petitioners were never granted any house site pattas and the xerox copies of the documents produced before this Court are false and forged one. He secondly submits that even if the petitioners are aggrieved by the assignment of house site pattas to respondents 2 and 3, they have an effective alternative remedy by way of appeal to RDO under BSO 15(15) of the Andhra Pradesh Board Standing Orders. This position is not denied. Though the learned counsel for the petitioners vehemently contends that MRO after conducting enquiry granted house site pattas, there is a dispute as to whether MRO granted house site pattas to the petitioners as alleged. Therefore, MRO shall conduct enquiry and if it is found in the enquiry that no such assignment was made to the petitioners and the documents produced by them are false and fabricated one, MRO may file criminal case against the petitioners. It is also open to the petitioners to file appeal before RDO against the orders of MRO granting assignment to respondents 2 and 3. As and when such appeal is filed, the same may be considered and appropriate orders be passed by RDO.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

05th June, 2007

Note: Issue CC in one week.

B/o

ghn